City of Seattle

Department of Design, Construction and Land Use

July 31, 2003

The attached legislation is proposed to amend Title 23 of the Seattle Municipal Code, Seattle's Land Use Code, to address the unique needs of biotech development in the South Lake Union Neighborhood.

Over the recent past a number of buildings have been converted or constructed for biotechnology or "biotech" research and development use. Study of these buildings shows that adjustments to the zoning in South Lake Union is needed because of the unique needs or features of biotech uses. These features include tall floor to floor heights and specialized mechanical equipment. This places biotech use at a disadvantage compared to office and other uses.

In association with biotech industry representatives, architects and designers, DCLU has identified for consideration, potential Land Use Code requirements that may inhibit biotech development. Regulatory considerations for supporting biotech development are focused in the South Lake Union area and include addressing the following five issues:

Height

Maximum Building Height. The current height limits do not effectively account for the unique floor to floor height needs of biotech that distinguish it from office and other development. Biotech buildings typically need 14 to 16 feet floor to floor vs.11 to 13 for office use. One of the distinguishing features of biotech use is research laboratories, which need the tall floor to floor heights to make room for special mechanical equipment and duct work. Under the current zoning, biotech uses cannot achieve the same number of floors as other uses. Consequently, to be competitive, biotech buildings in South Lake Union need to be able to achieve the allowable floor area of the other types of buildings or they will be built with sub-optimal floor to floor heights.

Proposal:
Allow up to 10 to 20 feet of additional height for biotech development, depending on the zone per the following chart:

Zoned Height Limit	Additional Height Permitted*	Maximum Allowed Height	Number of Floors X Floor to Floor Height
65' and 75'	20' for 65' and 10' for 75'	85'	6 floors X 14' or 5 floors X 16'
85'	20'	105'	7 floors X 14' or 6 floors X16'

*Additional height is intended to allow biotech development to approximate the number of floors possible for other types of development.

How Building Height is Measured. Maximum building height in South Lake Union zones (Industrial Commercial (IC), Commercial (C), Neighborhood Commercial (NC) and Seattle Cascade Mixed (SCM) is generally measured from the existing grade throughout a property. Conditions on a number of sites in the area have been 'leveled' to allow for surface parking and on sloped sites much of this leveling is in the form of excavation. These sites with "depressions" create a condition that makes it difficult for development to reach the allowed building height at street level.

Proposal:
Apply a height measurement technique similar to that used downtown, using the street frontage of the property to determine building height, for sites in South Lake Union.

FAR (Floor Area Ratio)
Allowed development density, achievable through FAR, or Floor Area Ratio, is a ratio that limits floor area as a proportion of lot area. Currently, there is no exemption for mechanical equipment to account for the unique needs of biotech development. The mechanical equipment exemption Downtown is 3.5% and there is none for mechanical equipment in Commercial and Industrial Zones. Specialized mechanical equipment requirements for research laboratories consume anywhere from 8% to 15% of overall floor area.

Proposal:
Exempt from FAR limits up to 15 percent of overall floor area for mechanical equipment.

Roof Top Enclosures and Screening
Higher mechanical system demands for biotech development results in the need to cover more of the area of the roof with equipment than current regulations allow. Biotech equipment needs can be three times that of a typical office building. The current roof top coverage allowed for penthouses and equipment is 20%, with an increase to 25% if equipment is screened.

Proposal:
Increase the allowable roof top coverage area to sixty-five (65) percent if equipment is screened, and provide flexibility in the code so that screening and equipment setbacks may be adjusted depending upon factors such as the height of the building.

Parking and Loading
The amount of parking required by the Land Use Code appears to be too high. Laboratory and other uses typically found in biotech buildings have fewer employees per square foot. This results in a lower parking demand than currently recognized by the code. This is due to the amount of special equipment per employee, compared to a standard office. Also, biotech workers typically work in shifts resulting in fewer workers on site at any one time. Both of these factors favor a lower parking requirement.

Loading berth requirements appear to be high too. The code currently requires loading according to categorization of the demand a particular use has for loading and the floor area of the use. The code currently does not recognize the ability for campus style development, such as at the Fred Hutchinson Cancer Research Center, to use a centralized loading facility.

Proposal:
Revise the minimum amount of parking required for research and development laboratory from the current requirement of 1 space for each 1,000 square feet of floor area to 1 space for each 1,500 square feet (generally, more parking may be provided than the code required minimum amount).
Reduce the number of loading berths required when centralized facilities are provided to serve multiple buildings.

Land Use Code Definitions
The current definition of “research and development laboratory” in the Land Use Code does not recognize that institutional research (University) and private sector biotech firms may operate research and development laboratories. This results in confusion in the permitting process and potential mislabeling of uses within a development. This has implications for where a use is permitted or prohibited, and application of development standards, such as amount of parking required.

Proposal:
Clarify the definition of “research and development laboratory” as follows:
"Research and development laboratory" means a ((commercial)) use in which research and experiments leading to the development of new products or intellectual property are conducted. This use may be conducted within the confines of an institutional, clinical or commercial enterprise.

The Mayor will submit this legislation to the City Council for their consideration, which will include a public hearing, this summer. The exact date and time will be made available soon.

Public Meeting
DCLU is sponsoring a public meeting on the proposed amendments:

Tuesday, September 2, 6:00 p.m. at the
Naval Reserve Building at South Lake Union Park.

The Naval Reserve Building (or the "Armory") is located at 860 Terry Avenue North.

Questions about the proposed amendment should be directed to Mike Podowski 386-1988 or via email at mike.podowski@seattle.gov or Roque Deherrera 615-0743 or at roque.deherrera@seattle.gov